

**Amendments to the Drawings**

A complete set of Formal Drawings is submitted with the present Amendment. Thirty-two (32) new formal drawing sheets are provided for Figures 1-32. The new formal drawings for Figures 1-32 will replace prior versions of Figures 1-32. Additionally, it is respectfully submitted that the replacement sheets for Figures 1-32 satisfy the requirements of 37 C.F.R. § 1.121(d). More specifically, it is respectfully asserted that the replacement sheets include proper margins.

Additionally, the objections to the drawings failing to include reference numerals that appear in the Specification have been addressed in the new formal drawings. Moreover, the objections to the drawings including reference numerals that do not appear in the Specification have been addressed in the new formal drawings, the Amendments to the Specification set forth above, and in the Remarks set forth below.

Attachment: 32 Replacement Sheets for FIGS. 1-32.

### **Remarks**

The present Amendment and Response is believed to be fully responsive to the Notice of Non-Compliant Amendment mailed December 3, 2009 and the Non-final Office Action dated May 26, 2009. Other than amending the status of independent Claim 79, the present Response is identical to the Response filed on August 26, 2009. Claims 60-99 have been examined and are rejected. By the present Amendment, independent Claims 60, 79, and 99 and dependent Claims 61, 69-76, 78, 80, 92, and 97 have been amended. New dependent Claim 100 and 101 have been added. Claims 1-59 were previously cancelled without prejudice by prior amendments. It is respectfully submitted that no new matter has been added by the foregoing amendments. Reconsideration of the application is requested in view of the following remarks.

The Attorney for the Assignee would like to thank the Examiner for the telephonic Examiner's Interview conducted on August 17, 2009. As discussed in the Interview, embodiments of the claimed invention may distinguish between electronic bill payment and electronic bill presentment. For example, payees may be activated for electronic bill payment without being activated for electronic bill presentment. Embodiments of the invention may further identify situations in which electronic bill presentment may be activated for a payor or situations in which electronic billing information of the payee for the payor is available. These situations may be identified utilizing information identifying the payee that is received in a request that is not associated with electronic bill presentment, for example, a payment request or a request to add a payee to a payee pick list of the payor. In marked contrast, *Chang* makes no distinction in terms of the scope associated with payees. In other words, a payee in *Chang* that is capable of receiving electronic bill payment is likely also a payee for which electronic bill presentment can be performed, and vice versa. Therefore, *Chang* does not teach or suggest the identification of bill presentment information utilizing identifying information for a payee that is received in a request that is not associated with electronic bill presentment.

### **Objections to the Specification**

In the Non-final Office Action, several paragraphs of the Specification were objected to due to minor typographical errors. By the present Amendment, the relevant portions of the Specification have been corrected as suggested by the Office Action.

### **Objections to the Drawings**

The Office Action objected to several of the drawings of the application due to informalities. More specifically, FIG. 1 was objected to because the application stamp appears inside of the margins of the drawing. Additionally, FIGS. 2, 3, 13, and 25 were objected to as not including sufficient margins.

A complete set of Formal Drawings is submitted with the present Amendment. 32 new formal drawing sheets are provided for Figures 1-32. The new formal drawings for Figures 1-32 will replace prior versions of Figures 1-32. Additionally, it is respectfully submitted that the replacement sheets for Figures 1-32 provide proper margins and satisfy the requirements of 37 C.F.R. § 1.121(d).

Additionally, the drawings were objected to as failing to include several reference numerals that appear in the Specification of the present patent application. Further, the drawings were objected to as including several reference numerals that do not appear in the Specification of the present patent application. It is respectfully asserted that each of these objections has been addressed by the new Formal Drawings and by the Amendments to the Specification set forth above.

### **Objections to the Claims**

In the Non-final Office Action, dependent Claims 61 and 97 were objected to due to informalities. With respect to Claim 61, the recitation of “determining, subsequent to matching, whether a bill presentment information is ...” was objected to, and it was suggested that the recitation be amended to recite “determining ... whether bill presentment information is ...” By the present Amendment, dependent Claim 61 has been amended to recite “determining, subsequent to matching, whether the bill presentment information is ...” Although the claim has not been amended as suggested by the Office Action, it is respectfully submitted that amended dependent Claim 61 provides proper antecedent basis for the bill presentment information that was previously introduced in the claim.

Turning to Claim 97, the recitation of “the at least one processor ... communications interface to and ...” was objected to, and it was suggested that the recitation be amended to recite “the at least one processor is ... communications interface to ...” By the present Amendment, dependent Claim 97 has been amended as suggested by the Office Action.

Additionally, the Office Action objected to dependent Claim 61, 62, 77, 78, 80, 81, 96, and 97 under 37 C.F.R. § 1.75(c) as being of improper form for failing to further limit the subject matter of a previous claim. As discussed and agreed upon in the telephonic Examiner’s Interview, dependent method Claims 61, 62, and 77 satisfy the requirements of 37 C.F.R. § 1.75(c) and further limit the subject matter of a previous claim. Dependent method Claim 78 has been amended to recite “wherein generating a second notification ... comprises generating a second notification of a second bill presentment information that comprises an indication ...” rather than “wherein the second bill presentment information comprises an indication ...” Accordingly, it is respectfully submitted that amended Claim 78 further limits the subject matter of a previous claim. Finally, turning to dependent system Claim 80, 81, 96, and 97, it is respectfully asserted that these claims further limit the subject matter of a previous claim, as agreed upon in the Examiner’s Interview. Accordingly, it is respectfully requested that the objections of these claims under 37 C.F.R. § 1.75(c) be withdrawn.

#### **Claim Rejections Under 35 U.S.C. § 112**

The Office Action rejected Claim 60, 69, 71, 73, 79, 88, 90, 92 and 99 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. More specifically, the recitations of “intend” in Claims 60, 79, and 99 were objected to as being vague. By the present Amendment, independent Claims 60, 79, and 99 have been amended to recite “information identifying a payee of the payor” rather than “information identifying a payee to whom a payor intends to direct payment through the clearinghouse.” Accordingly, the recitations of “intend” have been removed, and it is respectfully submitted that the amended independent claims satisfy the requirements of 35 U.S.C. § 112, second paragraph.

Additionally, the recitations of “accessing, by the clearinghouse and based on at least a portion of the received information identifying the payee, at least one database containing billing

information” in Claims 60, 73, 79, and 92 were objected to as being vague and indefinite. By the present Amendment, independent Claim 60 has been amended to recite “accessing ... stored billing information from at least one database.” Similar amendments have been made to Claims 73, 79, 92, and 99. In light of these amendments, it is respectfully submitted that the requirements of 35 U.S.C. § 112, second paragraph have been satisfied.

Additionally, the recitations of “identifying ... second information identifying the payee” in Claims 69, 71, 73, 88, 90, and 92 were objected to as being unclear because first information identifying the payee has not been introduced in the body of the claims. By the present Amendment, dependent Claims 69 has been amended to clearly recite that “receiving ... information identifying a payee comprises receiving first information identifying the payee.” Accordingly, the recitation of “identifying ... second information identifying the payee” is clear. Similar amendments have been made to dependent Claim 71 and 73. With respect to dependent Claims 88, 90, and 92, it is respectfully submitted that these claims are system claims that clearly recite that the received information identifying the payee is first information identifying the payee. Accordingly, it is respectfully submitted that the rejections of these claims under 35 U.S.C. § 112 are improper, and it is respectfully requested that these rejections be withdrawn.

Finally, the recitation of “adapted to” in Claim 99 was objected to as indefinite because the language raises questions as to the limiting effect of the claim. By the present amendment, independent Claim 99 has been amended to recite “configured to” rather than “adapted to.” It is respectfully asserted that amended independent Claim 99 satisfies the requirements of 35 U.S.C. § 112, second paragraph.

#### **Claim Rejections Under 35 U.S.C. § 103**

In the Non-final Office Action, Claims 60-99 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,884,288 to Chang, et al. (hereinafter “*Chang*”) in view of U.S. Patent No. 6,173,272 to Thomas, et al. (hereinafter “*Thomas*”).

Although independent Claims 60, 79, and 99 are believed to be patentable over the cited art references, either taken alone or in combination, independent Claims 60, 79, and 99 have been amended to clarify the inventions of the independent claims. More particularly, independent Claim 60 has been amended to recite “receiving ... a request that is not associated

with electronic bill presentment, the request comprising information identifying a payee of the payor, wherein the payor has not previously activated electronic bill presentment for the payee" (Underlining supplied). Amended independent Claim 60 further recites "accessing, ... based on at least a portion of the received information identifying the payee, stored billing information from at least one database" and "identifying, ... from the accessed billing information, a bill presentment information associated with the payee." Similar recitations are included in amended independent Claims 79 and 99. Support for the amendments may be found throughout the Specification.

As discussed in the telephonic Examiner's Interview, certain embodiments of the claimed inventions facilitate the identification of a payee for which billing information may be presented to a payor electronically when the payor has not previously activated electronic bill presentment for the payee through a clearinghouse. A request that is not associated with electronic bill presentment, for example, a payment request to make a payment to the payee on behalf of the payor or a request to add a payee to a payee pick list of a payor, may be received. Information included in the request that identifies the payee may be utilized to access stored billing information from at least one database. A bill presentment information, such as an electronic bill of the payee or an indication that an electronic bill of the payee is available or may be available, may then be identified from the stored billing information.

It is respectfully submitted that neither *Chang* nor *Thomas*, either taken alone or in combination, teaches, suggests, or renders obvious the recitations of "receiving ... a request that is not associated with electronic bill presentment, the request comprising information identifying a payee of the payor, wherein the payor has not previously activated electronic bill presentment for the payee" and "identifying ... a bill presentment information associated with the payee." In marked contrast, *Chang* relates to a method and system that is directed primarily to electronic bill payment (See *Chang* at Abstract). Although *Chang* briefly discusses the electronic bill presentment of outstanding bills in the text associated with FIG. 8B (*Chang* at Col. 8, line 56 – Col. 9, line 25), there is no teaching or suggestion of the outstanding bills being bills from payees for which the payor has not yet activated electronic bill presentment, as recited by the amended independent claims. Accordingly, *Chang* fails to teach or suggest the identification of a bill presentment information associated with the payee for the payor following the receipt of

identifying information for the payee in a request that is not associated with electronic bill presentment.

*Thomas* also fails to teach or suggest “receiving ... a request that is not associated with electronic bill presentment, the request comprising information identifying a payee of the payor, wherein the payor has not previously activated electronic bill presentment for the payee” and “identifying ... a bill presentment information associated with the payee.”

For at least these reasons, it is respectfully asserted that amended independent Claims 60, 79, and 99 are allowable over the cited art references, either taken alone or in combination. Therefore, it is respectfully contended that amended independent Claims 60, 79, and 99 are in condition for allowance.

Additionally, it is respectfully submitted that dependent Claim 61-78 and 80-98 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features. Accordingly, it is respectfully asserted that the pending claims of the present application are in condition for allowance and prompt allowance of the same is requested.

Response to Notice of Non-Compliant Amendment mailed December 3, 2009

**Conclusion**

The foregoing is submitted as a full and complete response to the Notice of Non-Compliant Amendment mailed December 3, 2009 and the response to the Office Action mailed May 26, 2009. Favorable reconsideration of the application as amended is respectfully requested. The present Amendment and Response is believed to be fully responsive to the Non-final Office Action mailed May 26, 2009. It is not believed that extensions of time or fees for net addition of claims are required beyond those which may be otherwise provided for in the documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference call or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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